

# ANALYSIS OF THE ENVIRONMENT AND RANGELAND PROTECTION FUND FOR THE 2003-05 BIENNIUM

Balance - July 1, 2003		\$856,321
Add estimated revenues		<u>2,705,000<sup>1</sup></u>
Total available		\$3,561,321
Less estimated expenditures		
Agriculture Commissioner		
Noxious weed control (2003 SB 2009)	\$1,494,285	
Pesticide disposal project (Safe Send) (2003 SB 2009)	307,436	
Pesticide programs (2003 SB 2009)	387,732	
Agriculture in the classroom program (2003 SB 2009)	50,000	
Saltcedar control (2003 SB 2319)	250,000	
Pesticide Control Board		
Minor use pesticide registration (2003 SB 2009)	200,000 <sup>2</sup>	
Crop Protection Product Harmonization and Registration Board		
Crop protection product registration and labeling and grants (2003 SB 2009)	25,000 <sup>3</sup>	
State Department of Health		
Ground water testing (2003 HB 1004)	200,000	
North Dakota Stockmen's Association environmental services program (2003 HB 1004)	50,000	
Agricultural Experiment Station		
Chemical storage expenditures (2003 HB 1021)	<u>120,000</u>	
Total estimated expenditures		<u>\$3,084,453</u>
Estimated ending balance - June 30, 2005		<u><u>\$476,868</u></u>

<sup>1</sup>The 1999 Legislative Assembly approved Senate Bill No. 2009, which includes a provision increasing the biennial pesticide registration fee by \$50, from \$300 to \$350 only for the 1999-2001 biennium. The \$350 pesticide registration fee was extended for the 2001-03 biennium (2001 House Bill No. 1009) and the 2003-05 biennium (2003 Senate Bill No. 2319). This increase is estimated to generate \$450,000, resulting in \$2.7 million estimated revenues to be deposited in the environment and rangeland protection fund during the 2003-05 biennium. House Bill No. 1066 (2003) provides for a Project Safe Send pesticide and pesticide container collection user fee for rinsate. The rinsate collection fee is to be established at a level that will generate enough revenue to cover the cost of disposal associated with the rinsate that is collected. This fee is estimated to generate \$5,000 in additional revenues to be deposited in the environment and rangeland protection fund.

<sup>2</sup>This amount is transferred to the minor use pesticide fund and appropriated to the Crop Protection Product Harmonization and Registration Board on a continuing basis. House Bill No. 1328 (2001) changed the control of the minor use pesticide fund from the Agriculture Commissioner to the Crop Protection Product Harmonization and Registration Board.

<sup>3</sup>North Dakota Century Code Section 4-35-30 as created by 2001 House Bill Nos. 1328 and 1009 created the Crop Protection Product Harmonization and Registration Board. The duties of the board consist of:

- Identify and prioritize crop protection product labeling needs.
- Explore the extent of authority given to North Dakota under the federal Insecticide, Fungicide, and Rodenticide Act.
- Identify the data necessary to enable registration of a use to occur in a timely manner.
- Determine what research, if any, is necessary to fulfill data requirements for responsibilities of the board.
- Request the Agriculture Commissioner to pursue specific research funding options from public and private sources.
- Request the North Dakota State University Agricultural Experiment Station to pursue specific research to coordinate registration efforts.

- Pursue any opportunities to make more crop protection product options available to agriculture producers in this state through any means the board determines advisable.
- The board may administer a grant program through which agriculture commodity groups may apply for funds to be used to address issues related to the registration of crop protection products.

The members of the Crop Protection Product Harmonization and Registration Board consist of:

- The Governor or the Governor's designee (chairman).
- The Agriculture Commissioner or the commissioner's designee.
- The chairman of the House Agriculture Committee or the chairman's designee.
- The chairman of the Senate Agriculture Committee or the chairman's designee.
- A member of the House or Senate Agriculture Committee who is not a member of the faction in which the committee chairman is a member, appointed by the Legislative Council chairman.
- A crop protection product dealer in the state appointed by the Governor from a list of three nominees submitted by the North Dakota Agricultural Association.
- A consumer of crop protection products appointed by the Governor from a list of three nominees submitted by the North Dakota Grain Growers Association.
- A consumer of crop protection products appointed by the Governor from a list of three nominees submitted by the North Dakota Oilseed Council.
- A representative of the crop protection product manufacturing industry appointed by the chairman of the Legislative Council (nonvoting).
- The director of the Agricultural Experiment Station (nonvoting).

**NOTE:** The estimated June 30, 2005, balance made at the end of the 2003 legislative session was \$322,945. The increase of \$153,923 is due to the July 1, 2003, balance being more than projected.

North Dakota Century Code Section 19-18-02.1 created by 1991 Senate Bill No. 2451 establishes the environment and rangeland protection fund. The fund contains collections from pesticide registration fees. The biennial fee is \$350 per pesticide product registered in the state for the 2003-05 biennium. Of this amount, \$300 is deposited in the environment and rangeland protection fund and \$50 in the general fund. Beginning July 1, 2005, the fee reverts to \$300 for a two-year period, of which \$250 is deposited in the environment and rangeland protection fund and \$50 in the general fund.